

COMMITTEE ROOM,
AUSTIN, January 19, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 1, have considered the same, and instruct me to report it back with the accompanying substitute, with recommendation that the substitute do pass.

The object of the bill is to throw farther restrictions around the laws permitting incorporations for private enterprise. As the law now stands, it is believed it affords facilities for committing fraud, and should be amended.

TERRELL, Chairman.

Bill read first time.

Senator Matlock offered the following resolution, by unanimous consent:

Resolved, That all bills reported favorably to the Senate shall be printed and a copy of each placed on each desk for the use of the members of the Senate.

Senator Harris offered the following amendment: Add "committee substitutes and reports of committees, and provide for the printing of fifty copies." Accepted by Senator Matlock, and resolution adopted.

Senator Patton moved to adjourn till to-morrow morning at 10 o'clock.

Senator Davis moved to adjourn till Monday morning at 10 o'clock.

Senator Davis' motion was adopted, and Senate adjourned till Monday morning at 10 o'clock.

ELEVENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, January 22, 1883. }

Senate met pursuant to adjournment. Lieutenant-Governor Martin in the chair.

Roll of Senate called. Quorum present.

Prayer by the Chaplain.

On motion of Senator Pope, the reading of the journals of Friday was dispensed with.

On motion of Senator Kleberg, Senator Fowler was excused for the day on account of important business.

On motion of Senator Pope, the Second Assistant Secretary, W. M. Hunter, was excused on account of sickness.

Senator Stratton presented a petition signed by citizens of Matagorda county, praying for better protection of fish and oysters. Referred to Committee on State Affairs.

Senator Fleming presented a petition from certain counties west and north of Mitchell county, praying to be attached to Mitchell county for land purposes, etc. Referred to Committee on Public Lands.

Senator Traylor presented a petition of citizens of Mineral Wells, Palo Pinto county, asking for the location of a branch of the Lunatic Asylum at Mineral Wells. Referred to Committee on Lunatic Asylums.

Senator Collins presented certain claims of Peter Tomlinson against the State of Texas. Referred to Committee on Public Debt.

Senator Terrell presented a memorial of Jas. B. Smith, asking relief on account of loss in building of temporary Capitol. Referred to Committee on Public Buildings and Grounds.

Senator Terrell, chairman of Judiciary Committee No. 1, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 113, "An act to further regulate the creation and proceedings of private corporations, by amending articles 566 and 570 of the Revised Statutes and making an additional article, to be known as article 574a," have considered the same and instruct me to report it back

to the Senate with the recommendation that in lieu of its adoption that of the accompanying substitute.

TERRELL, Chairman.

COMMITTEE SUBSTITUTE.

An act to further regulate the creation and proceedings of private corporations, by amending articles 566 and 570 of the Revised Statutes, and making an additional article, to be known as article 574a.

Article 566. Be it enacted by the Legislature of the State of Texas, that corporations may be formed for the following purposes:

1. The support of public worship.
2. The support of any benevolent, charitable, educational or missionary undertaking.
3. The support of any literary or scientific undertaking, the maintenance of a library, or the promotion of painting, music or other fine arts.
4. The encouragement of agriculture and horticulture.
5. The maintenance of public parks, and of facilities for skating and other innocent sports.
6. The maintenance of a public or private cemetery.
7. The purchase and sub-division of lands, in towns or cities, into lots, and the sale of the same.
8. The construction and maintenance of roads and bridges in connection therewith.
9. The construction and maintenance of a bridge.
10. The construction and maintenance of a telegraph line.
11. The establishment and maintenance of a ferry.
12. The establishment and maintenance of a line of stages.
13. The building and navigation of steamboats, and the carriage of persons and property thereon.
14. The supply of water to the public.
15. The manufacture and supply of gas, or the supply of light or heat to the public by any other means.
16. The transaction of any manufacturing, mining, mechanical or chemical business.
17. The transaction of a printing and publishing business.
18. The establishment and maintenance of a hotel.
19. The erection of buildings, and the accumulation and loan of or investment of funds for the purchase of real property in towns or cities.
20. The improvement of the breed of domestic animals.
21. The transportation of goods, wares and merchandise, or any valuable thing.
22. The promotion of immigration.
23. The construction and maintenance of sewers.
24. The construction and maintenance of a street railway.
25. The erection and maintenance of market houses and market places.
26. The construction and maintenance of canals for the purpose of irrigation, manufacturing or commercial purposes.

Article 570. The existence of a corporation shall date from the filing of the charter in the office of the Secretary of State; and the certificate of the Secretary of State shall be evidence of such filing; provided, that no such filing shall be permitted, or certificate given, unless the charter has been submitted to and approved by the Attorney-General of the State, as being within the purview of this act.

Art. 574a. Every private corporation shall, at its place of business, have a sign, and shall indicate and show thereon, and upon its letter heads, circulars and other advertisements, that it is a corporation, and the amount of its capital stock; and the failure to comply with the provisions of this article shall be cause for the forfeiture of the charter of such corporation.

Bill read first time, with committee substitute.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 2, have considered the same and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it do not pass. The object of the bill is to compel all actions for the recovery of real property to be brought within twenty-two years after descent cast or the beginning of adverse possession, without reference to the defense of coverture or infancy.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 107, entitled "An act to amend articles 1005, 1006, 1007, 1008 and 1009, Revised Statutes, have considered the same, and in-

struct me to report it back, with the recommendation that 100 copies be printed for the use of the Senate and committee.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate joint resolutions Nos. 18, 19 and 21, have considered the same, and have instructed me to report the same back to the Senate, and in lieu of their adoption recommend the adoption of the accompanying substitute. They are joint resolutions seeking to give leaves of absence from the State to county judges. It was thought preferable to confer the authority to grant leaves of absence to the county commissioners' courts for a longer period than is now allowed, and thus avoid applications for legislative relief.

TERRELL, Chairman

COMMITTEE SUBSTITUTE.

An act to be entitled "An act to amend article 1135, chapter 1, title XXVIII, of the Revised Civil Statutes."

Section 1. Be it enacted by the Legislature of the State of Texas, That article 1135 chapter 1, title XXVIII, of the Revised Civil Statutes be, and the same is hereby amended so as to hereafter read as follows:

Article 1135. The county judge shall keep his office at the county seat of the county, and shall attend at said office from day to day. He shall not absent himself from the county without the permission of the commissioners' court, to be entered on the minutes of the court, nor shall he so absent himself with such permission for a longer period than ninety days.

Bill read first time with substitute.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

To the Honorable Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 109, entitled "An act to amend title 27, chapter 28, of Revised Civil Statutes, by adding thereto another article, to be numbered 2184," have considered the same, and a majority thereof have instructed me to report it back to the Senate with the recommendation that it do not pass.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 97, entitled "An act amendatory of article 377 of the second section of an act entitled 'an act to adopt a Penal Code and Code of Criminal Procedure of the State of Texas,'" have considered the same and instruct me to report it back and ask that it be referred to Judiciary Committee No. 2.

TERRELL, Chairman.

The bill was so referred.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 12, entitled "An act to provide for the issuance of writs of mandamus and injunctions in certain cases, and to fix the venue of the same," have considered the same, and a majority thereof have instructed me to report the same back with the recommendation that it do not pass.

TERRELL, Chairman.

The following minority report on the same bill was submitted:

COMMITTEE ROOM,
AUSTIN, January 22, 1883.

Hon. Marion Martin, President of the Senate:

The undersigned members of your Judiciary Committee No. 1, who had under consideration Senate bills No. and No. , dissent from the views of the majority, and respectfully recommend that each of such bills do pass.

The first of said bills has for its object the repeal of the fourth section or the act of February 15, 1881, which attempts to prohibit the issuance of writs of mandamus and injunction against any officer of any of the executive departments.

The second of said bills provides for the issuance of writs of mandamus against such officers to compel them to do any act required of them by law, not judicial in its character, and for the issuance of the writ of injunction against such officers to restrain them from

doing any act in violation of law that would result in irreparable injury to the public, or to any individual.

DAVIS,
STRATTON.
FLEMING.

Bill read first time, with majority and minority reports.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 8, entitled "An act to repeal the fourth section of 'an act defining who are officers in this State, and prescribing their rights, powers, duties and privileges,' approved February 15, 1881," have considered the same, and a majority thereof have instructed me to report the same back with the recommendation that it do not pass.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 106, entitled "An act to amend article 2266, chapter 4, title 38, of 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed by the Sixteenth Legislature of the State of Texas," have considered the same, and instruct me to report the same back with the recommendation that it lie upon the table, there being another bill accomplishing the same object as is sought by this bill already reported to the Senate.

TERRELL, Chairman.

Bill read first time.

Senator Patton, acting chairman of Judiciary No. 2, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 40, entitled "An act to amend article 180 of the Penal Code," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass, as amended, to wit: Amend by adding the words "and may be imprisoned in the county jail not exceeding thirty days, at the discretion of the jury."

PATTON, Acting Chairman.

Bill read first time with amendment of committee.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 52, entitled "An act to amend article 1063 of chapter 3 of the Code of Criminal Procedure of the State of Texas," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass, as amended, to wit: "Provided, that said expenses shall not exceed (\$1.25) one dollar and twenty-five cents for each juror per day."

PATTON, Acting Chairman.

Bill read first time with amendment of committee.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 42, entitled "An act to amend the Penal Code and relating to trespass upon enclosed lands," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass as amended, to wit. Amend section 1, after the word "owner," by inserting the following: "Agent, lessee or person in charge thereof." Amend section 1 by striking out the words "and shall carry a gun thereon, or catch fish from water," and insert "for the purpose of fishing or hunting with dogs or firearms."

PATTON, Acting Chairman.

Bill read first time with amendment.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Judiciary No. 2, to whom was referred Senate bill No. 49, entitled "An act to repeal article 1064 of chapter 3 of the Code of Criminal Procedure," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

PATTON, Acting Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 98, entitled "An act to regulate the powers, duties and compensation of county attorneys, in counties where there is no resident district or criminal district attorney," have carefully examined the same, and instruct me to report the same back with the recommendation that it do not pass, because the object endeavored to be attained is already embraced in a bill engrossed in the Senate.

PATTON, Acting Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 110, entitled "An act to amend article 262, section 8, of the Penal Code of the State of Texas," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

PATTON, Acting Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 83, entitled "An act to amend article 247 of the Penal Code," have carefully examined the same, and instruct me to report the same back with the recommendation that it do not pass. The committee think the object sought has been adequately provided for in the laws now in force.

PATTON, Acting Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 79, entitled "An act to amend article 720 of Criminal Procedure," have carefully examined the same, and instruct me to report the same back with the recommendation that it do not pass, for the reason that it proposes to authorize the entering of a judgment nunc pro tunc against a defendant convicted in a felony case in his absence, at a subsequent term of the court to the one at which he was convicted.

PATTON, Acting Chairman.

Bill read first time.

Senator Martin, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bills Nos. 38 and 41, and instruct me to report that they find said bills correctly engrossed.

MARTIN, Chairman.

Senator Houston asked leave to submit a minority report on Senate bill No. 3. Granted.

Senator Matlock introduced a bill entitled "An act to permit the Commissioners' Court of Baylor county to withdraw from the General Land Office certain land certificates, and locate the same." Referred to Committee on Public Lands.

Senator Kleberg introduced the following bills:

"An act to amend article 3182, chapter 4, title 61, Revised Civil Statutes of Texas." Referred to Judiciary Committee No. 1.

"An act to require persons to re-record certain deeds within a certain time." Referred to Judiciary Committee No. 1.

Senator Davis introduced the following bill: "An act to repeal article 91 of the Penal Code." Referred to Judiciary Committee No. 2.

Senator Traylor introduced a bill entitled "An act to provide for the payment of the expenses of attached witnesses in felony cases." Referred to Judiciary Committee No. 2.

Also, "A bill to prohibit the hiring and employment of minors, and to fix a penalty therefor." Referred to Judiciary Committee No. 2.

Senator Fleming introduced a bill entitled "An act to amend article 2392, chapter 3, title 42, of the Revised Civil Statutes of the State of Texas." Referred to Judiciary Committee No. 1.

Senator Buchanan introduced a bill, "An act to regulate municipal taxation." Referred to Judiciary Committee No. 1.

Senator Traylor offered the following resolution:

Resolved, That the Sergeant-at-Arms be authorized to procure a suitable frame for the portrait of Davy Crockett, now hanging on the walls of the Senate Chamber, to be paid out of the contingent fund of the Senate.

Adopted.

Senate bill No. 21, "An act to amend article 1107 of the Revised Statutes of the State of Texas, and to add thereto articles 1107a, 1107b, 1107c and 1107d, and to provide for the payment of fees in felony cases," being the special order for this hour, was taken up and read the second time.

Senator Chesley offered a substitute for the bill.

Senator Matlock offered the following amendment: Amend the caption of the bill and section 1 by striking out the words "Revised Statutes" and inserting the words "Code of Criminal Procedure." Adopted.

On motion of Senator Gooch, the bill was re-referred to Committee on Judiciary No. 2 with substitute, and one hundred copies of bill and substitute ordered printed.

Senator Terrell, by unanimous consent, submitted the following report of Committee on Judiciary No. 1:

COMMITTEE ROOM,
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 55, to be entitled "An act to amend article 1134 of the Revised Statutes of the State, and to add article 1134a, requiring county judges to give official bond," have considered the same, and its object being to protect certain school funds, they have instructed me to report the same back to the Senate, and in lieu of its adoption ask that of the following substitute, as the same accomplishes the object of the original bill, which was to require that all obligations taken under the authority of the county commissioners' court for the payment of county school lands should be deposited with and payable to the treasurer of the county.

TERRELL, Chairman.

COMMITTEE SUBSTITUTE.

An act to be entitled "An act to amend article 4036, chapter 2, title 81, Revised Civil Statutes."

Section 1. Be it enacted by the Legislature of the State of Texas, That article 4036, chapter 2, title 81, of the Revised Civil Statutes be and the same is hereby amended so as to hereafter read as follows:

Article 4036. Each county may sell or dispose of the lands granted to it for educational purposes, in such manner as may be provided by the commissioners' court of such county; and the proceeds of any such sale shall be invested in bonds of the State of Texas, or of the United States, and held by such county alone as a trust for the benefit of public free schools therein, only the interest thereon to be used and expended annually; *provided* that all obligations taken under the authority of the commissioners' court for payment of county school lands shall be deposited with and payable to the treasurer of the county.

Section 2. Whereas, there is now no adequate protection for such county funds as arise from the sale of county school lands under the laws now in force; therefore an imperative public necessity and emergency exists for the immediate passage of this act. It is therefore enacted that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

Bill read first time, with substitute of committee.

Senate joint resolution No. 15, to amend section 9, article 8 of the Constitution of the State of Texas, was taken up in regular order and read second time.

Senator Davis offered the following amendment: Amend by striking out "50 cents" in the sixth line and inserting "40 cents." Lost, and resolution ordered engrossed.

Senator Davis moved to reconsider the motion by which the resolution was ordered engrossed. Adopted, and motion reconsidered.

Senator Davis also moved to reconsider the vote by which his amendment was lost. Adopted, and amendment reconsidered.

Senator Harris offered the following amendment to the amendment of Senator Davis: Amend by striking out "40 cents" and inserting "35 cents." Lost by the following vote:

YEAS—12.		
Chesley,	Gooch,	Peacock,
Davis,	Harris,	Perry,
Farrar,	Johnson of Collin,	Pope,
Gibbs,	King,	Shannon.
NAYS—14.		
Buchanan,	Houston,	Patton,
Collins,	Jones,	Stratton,
Evans,	Kleberg,	Terrell,
Fleming,	Martin,	Traylor.
Getzendaner,	Matlock,	

Senator Davis' amendment was adopted by the following vote:

YEAS—16.		
Chesley,	Harris,	Peacock,
Davis,	Johnson of Collin,	Perry,
Farrar,	King,	Pope,
Getzendaner,	Martin,	Shannon,
Gibbs,	Matlock,	Traylor.
Gooch,		
NAYS—10.		
Buchanan,	Houston,	Patton,
Collins,	Jones,	Stratton,
Evans,	Kleberg,	Terrell.
Fleming,		

Senator Fleming offered the following amendment: Amend by striking out, in lines 8 and 9, after the word "debts," the words "incurred prior to the adoption of this amendment."

Senator Houston raised the point of order that it is not in order to make a motion to strike out a committee amendment that has been adopted by the Senate.

Senator Fleming withdrew the motion to strike out, and moved to reconsider the vote by which the committee amendment was adopted.

Senator Pope moved to postpone the bill, and that it be made the special order for Thursday morning, just after the morning call. Adopted.

A message was received from the House, announcing the passage by that body of House concurrent resolution No. 3, "Instructing and requiring the Committee on Judicial Districts to rearrange and equalize the several judicial districts of the State." The President referred the resolution to the Committee on Judicial Districts.

Senator Houston, by unanimous consent, introduced a joint resolution requiring the Governor to submit all constitutional amendments passed by the Eighteenth Legislature to a vote of the people, and fixing the time at which the election shall be held. Referred to Committee on Constitutional Amendments.

Senator Houston submitted the following minority report on Senate bill No. 2:

COMMITTEE ROOM,
AUSTIN, January 20, 1882.

Hon. Marion Martin, President of the Senate:

A minority of your Judiciary Committee No. 1, to whom was referred Senate bill No. 2, respectfully dissent from the view of the majority of said committee. We think there are merits in the bill, and that it is addressed to an evil which should be corrected. The purpose of the bill is to fix a period, by absolute limitation, in actions involving the title to land in this State, without respect to the disabilities of parties designated in article 3201, Revised Statutes. Other States of the Union have such a statute, and the peculiarity and origin of land titles in Texas make such statute more important to

the people of this State. Hence we ask that the bill be amended as follows, to-wit:

First amendment. Strike out "twenty-two years," and insert "twenty-five years."

Second amendment. Add section 2 as follows: "Sec. 2. This amendment shall not affect actions now pending in court, or any action brought before the first day of January, A. D. 1884," and as amended that the bill do pass.

HOUSTON,
STRATTON,
CHESLEY,

Minority of Judiciary Committee No. 1.

Senator Davis moved to take up his motion made last week to reconsider the vote by which the Senate refused to engross Senate bill No. 9, "An act to amend articles 730 and 731 of the Code of Criminal Procedure." Adopted, and vote reconsidered, by the following vote:

YEAS—18.		
Davis,	Houston,	Matlock,
Evans,	Johnson of Collin,	Patton,
Fleming,	Jones,	Pope,
Gibbs,	King,	Shannon,
Gooch,	Kleberg,	Stratton,
Harris,	Martin,	Traylor.
NAYS—7.		
Buchanan,	Getzendaner,	Perry,
Chesley,	Peacock,	Terrell.
Collins,		

Senator Chesley moved to print bill and make it special order for Friday morning. Motion lost and bill ordered engrossed.

Senate bill No. 64, "An act making an appropriation for mileage and per diem pay of members and the per diem pay of the officers and employees of the regular session of the Eighteenth Legislature of the State of Texas," was taken up. Read second time with unfavorable report.

On motion of Senator Harris, report was adopted and bill laid on the table.

Senate bill No. 73, "An act to extend the time for redeeming land sold to the State for taxes one year from April 20, 1882," was taken up in regular order and read second time.

On motion of Senator Matlock, the bill was re-referred to Judiciary Committee No. 1.

Senate bill No. 74, "An act to amend articles 1299 and 1316, and to repeal article 1300 of the Revised Civil Statutes of the State of Texas," was taken up and read second time, with unfavorable report, and on motion of Senator Matlock, the report was adopted and bill lost.

Senate bill No. 79, "An act amendatory of an act entitled 'an act to extend the time within which all persons whose lands have been sold for taxes and bought in by the State may redeem the same,' approved February 5, 1881," was taken up. Read second time, with unfavorable report.

On motion of Senator Terrell, the bill was re-referred.

Senate bill No. 78, "An act to amend chapter 10, title 71, of the Revised Civil Statutes, by adding article 3604a," was taken up, read second time, with unfavorable report of committee, and on motion of Senator Patton, the report was adopted and bill lost.

Senate bill No. 80, "An act to amend article 240 of the Penal Code," was taken up, with unfavorable report of committee.

Senator Traylor moved to adopt the committee report.

Senator Houston moved that the report and bill lie on the table. Adopted and bill tabled.

Senate bill No. 82, "An act authorizing the setting of causes for trial or disposition in the district court," was taken up and read second time.

Senator Matlock moved to adopt report of committee, which was unfavorable.

Senator Jones moved that the bill be ordered to lie on the table subject to call.

Senator Matlock withdrew his motion. Senator Jones' motion was adopted and bill tabled.

Senator Harris moved to adjourn until to-morrow at 10 a. m. Lost.

Senate bill 81, "An act to prevent certain county officers, their deputies and employees from purchasing property at tax sales," was taken up, read second time and ordered engrossed.

Senator Gooch moved to adjourn. Withdrawn temporarily.

On motion of Senator Buchanan, Captain Kyle, Sergeant-at-Arms, was excused, on account of sickness.

On motion of Senator Gooch, Senator Cooper was excused, on account of sickness.

On motion of Senator Kleberg, Senator Pfeuffer was excused for the day on account of important business.

On motion of Senator Davis, the regular order of business was suspended and Senate bill 94, "An act requiring the printing and publication of 5000 copies of the general laws of the Sixteenth and Seventeenth Legislatures, and the general laws of the called session of the Sixteenth Legislature," was taken up, read second time and ordered engrossed.

On motion of Senator Patton, 50 copies of Senate bill No. 32, "An act to pension the veterans and signers of the declaration of independence of Texas," were ordered printed.

On motion of Senator Terrell, the Senate tendered the use of the Senate Chamber on Wednesday night next, for the use of Hon. Horace Cone to deliver his lecture on "The Responsibility of Women for the State of Society."

Senator Gibbs introduced a bill, by unanimous consent, entitled "An act to provide for the sale and lease of all lands set apart for the benefit of the common school fund and to provide for the investment of the proceeds of the same, and to make an appropriation for carrying into effect the provisions of this bill, and to repeal all laws in conflict therewith." Referred to Committee on Public Lands, and on motion of Senator Matlock, 100 copies ordered printed.

The following message was received from the House:

HALL OF HOUSE OF REPRESENTATIVES, }
AUSTIN, January 22, 1883. }

I am instructed to report to your honorable body that the House has concurred in Senate amendment to substitute for House bill Nos. 6 and 18.

J. W. BOOTH, Chief Clerk.

The President gave notice of signing of substitute for House bills Nos. 6 and 18, "An act to withdraw the public lands of the State of Texas from sale."

On motion of Senator Matlock, the Senate adjourned till to-morrow morning at 10 o'clock.

TWELFTH DAY.

SENATE CHAMBER, }
AUSTIN, TEXAS, January 23, 1883. }

The Senate met pursuant to adjournment. Lieutenant Governor Martin in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Senator Matlock, the reading of the journal of yesterday was dispensed with.

Senator Fleming presented a memorial of citizens of Jones county with reference to the public school and asylum lands. Referred to Committee on Public Lands.

Senator Terrell presented a memorial of M. A. C. Wilson, asking a duplicate debt certificate for public services. Referred to Committee on Claims and Accounts.

Senator Jones presented a memorial of the heirs of Anson Jones, for a special law authorizing the location of the

balance of unlocated lands. Referred to Committee on Private Land Claims.

Senator Martin, chairman of the Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, January 22, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 50, being "An act to amend article 317, chapter 3, title 9 of the Penal Code."

Also, Senate bill No. 56, being "An act to amend article 1083 of the Code of Criminal Procedure of the State of Texas."

Also, Senate bill No. 60, being "An act to amend article 4574 of chapter 3, of title 93 of the Revised Civil Statutes of the State of Texas," and instruct me to report that they find the same correctly engrossed.

MARTIN, Chairman.

On motion of Senator Shannon, A. M. Belvin, Engrossing Clerk, was excused to-day and to-morrow, on account of sickness.

Senator Fleming introduced a bill entitled "An act to create the land districts of Mitchell and Howard." Referred to Committee on Public Lands.

Also, a bill entitled "An act to reserve and set apart 325 leagues of land heretofore surveyed for the benefit of unorganized counties of this State, and such organized counties as may have located their four leagues of school land, or any part thereof, in conflict with valid prior locations and surveys, or which may, from any cause, fail to get title to the four leagues of land they are entitled to receive under the law." Referred to Committee on Public Lands.

Senator Pfeuffer introduced the following bills:

A bill to be entitled "An act defining the duties and liabilities of sheriffs who are tax collectors, and collectors of taxes in cases where they may be re-elected to the same office, and providing for their removal from office in certain cases." Referred to Committee on Finance.

"An act to add article 106a to the Penal Code." Referred to Committee on Finance.

"An act to amend article 110 of the Penal Code of Texas." Referred to Committee on Finance.

Senator Buchanan introduced a joint resolution amending section 10, article 11, of the Constitution, so as to authorize incorporated cities and towns, and counties and school districts or communities, under certain circumstances to levy and collect a special ad valorem tax for the support of public free schools, in addition to the *pro rata* available school fund received from the State. Referred to Committee on Constitutional Amendments, and, on motion of Senator Gibbs, 100 copies ordered printed.

Senator Stratton introduced a bill entitled "An act to authorize Christian Jordan to sue the State of Texas." Referred to Judiciary Committee No. 1.

Senator Getzendaner introduced a bill entitled "An act for the laying out and opening public roads in unorganized counties." Referred to Committee on Roads, Bridges and Ferries.

Senator Gooch introduced a bill entitled "An act to provide for leasing the common school lands of the State of Texas." Referred to Committee on Public Lands.

On motion of Senator Fowler, Senator Randolph was excused, on account of sickness.

Senator Matlock introduced a bill entitled "An act to ascertain and liquidate any indebtedness due by the State of Texas for furniture supplied for the State Capitol by authority of the act of the Legislature entitled 'an act to provide for the erection of a capitol of the State of Texas,' approved February 14, 1852." Referred to Committee on Claims and Accounts.

Senator Martin introduced a bill entitled "An act to